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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/875,462 | 06/05/2001 | Jean-Michel Rosset | B-4198 618840-8 | 6266 |

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09/08/2004

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EXAMINER

AL AUBAIDI, RASHA S

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2642

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,462

Applicant(s)

ROSSET ET AL.

Examiner

Rasha S AL-Aubaidi

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, 10 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Lindeberg et al. (US PAT # 6,094,479).

Regarding claim 1, Lindeberg teaches a communication platform (reads on the public telecommunication network 100 that provides CTI services, see col. 3, lines 28-60 and col. 5, lines 23-32) for providing computer/telephony integration services to remote subscribers (see col. 2, lines 14-20, col. 3, lines 16-25), comprising: - a switch (reads on SSPs switches 241 and 245, see col. 6, lines 45-60, see also Fig. 1) for communicating with an external telephone network or interconnected networks through a communications trunk; - for each of one or more subscribers (see customer domain in Fig. 1 and col. 5, lines 45-62), a subscriber telephony component executed by processing means (processing means reads on the CCF with in the SSPs 241 and 245, which does the actual functionality of the switch , see col. 6, lines 45-60) belonging to the communication platform (reads on the public telecommunication network

Art Unit: 2642

100 that provides CTI services) and connectable to an external subscriber's information system (may read on the CPE- based private telecommunications network, see col. 5, lines 23-26) through a private data channel (reads on CTI channel see col. 1, lines 47-50), whereby said subscriber telephony component is operable to communicate with other components of said subscriber's information system so as to be logically part of said information system, each subscriber telephony component being capable of controlling calls handled by said switching unit in response to data communication through the private data channel (this basically reads on the many advantages on providing CTI system in order to provide different services to users as well as allowing those users to have control of these services see col. 1, lines 29-67 and col. 2, lines 42).

Claims 4-5, 10-11, 16, 18-20, and 23-25 are rejected for the same reasons as discussed above with respect to claim 1.

Regarding claim 2, Lindeberg teaches subscriber telephony component (it may reads on customer domain 250 for example in Fig. 1) is comprised of an intelligent agent (reads on CF 253, see Fig. 1 and col. 6, lines 1-9).

Regarding claims 3 and 17, Lindeberg teaches said private data channel is a virtual private network link (VPN) connected to a network of the subscriber's information system (see col. 3, lines 61-66).

Art Unit: 2642

Regarding claim 6, Lindeberg teaches call handling resources available to each of said subscriber telephony components, - storage (reads on database 252, see Fig. 1, and col. 6, lines 1-6) for resource allocation data in association with each subscriber telephony component, and - control means for allocating call handling resources to a given subscriber telephony component when handling a telephone call on the basis of said resource allocation data (control means reads on CTI server 251 in Fig. 1, and col. 5, lines 63-67 and col. 6, lines 1-21).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of

Art Unit: 2642

35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 7-9, 12-15 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindeberg in view of Henderson (US PAT # 6,647,109).

Regarding claims 7 and 21, Lindeberg does not specifically teach the call handling resources comprise voice processing resources.

However, Henderson teaches a telephony system and method for providing telephony services to remote users; this telephony system comprises a user side and a provider side. The user side includes a telephony instrument and a personal computer for establishing communication with the provider side via a communication gateway, a communication device and a wide area network, such as the Internet. The provider side includes a virtual private network (200) in communication with the wide area network and a communication network (see abstract, also FIG. 2). Within the communication system 200, voice may be carried in a variety of ways, including VOIP (see col. 6, lines 6-12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of call handling resources that comprises voice processing resources (reads on VOIP) as

Art Unit: 2642

taught by Henderson into the Lindeberg system in order to provide the user with the versatility and the convenience.

Claim 8 recite "said voice processing resources are connected to said switching unit". This is inherent in both references.

Regarding claims 9, 13 and 22, Lindeberg does not specifically teach the use of billing system in communication with said control means for billing each subscriber according to call handling resource usage. However, using a billing system in communication with said control means could be obvious in order to keep track of the services that were offered to each subscriber.

Claim 12 recite, "before the call handling resources allocation step, a step of checking from resource allocation data stored by the communication platform whether there are sufficient call handling resources available for the current incoming call. This feature is obvious, since logically one should always have to check the availability and the capability of the software and the hardware components.

Claims 14-15 recites that "in association with said installation step, the additional step of allocating to the subscriber telephone component security data for secure communications with said subscriber information system and between said component and the rest of said communication platform".

Art Unit: 2642

Providing security data for secure communication is obvious and well-known feature in the art. As a matter of fact, many references teach¹ the use of providing security of data traveling from one system to another or even for the users within the same system. Advantages for such a feature are well known.

Response to Arguments

5. Applicant's arguments have been fully considered and are persuasive. The objections of the drawings and specification, as well as the rejection of 112 first and 112 second have been withdrawn.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through


Art Unit: 2642

Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner

Rasha S Al-Aubaidi

09/02/2004



WILLIAM J. DEANE, JR.
PRIMARY EXAMINER